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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb,
David M. Knight and Scott Siegel

Divisional Application of

Application No.: 09/133,119

Filed: August 12, 1998

For: ANTI-TNF ANTIBODIES AND PEPTIDES OF HUMAN
TUMOR NECROSIS FACTOR

Date: 01-08-01

EXPRESS MAIL LABEL NO. EL551544190US

REMARKS

Box PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

The above-captioned application is a divisional of application number 09/133,119, filed on August 12, 1998 to which priority is claimed under 35 U.S.C. §120.

The Specification has been revised to incorporate amendments filed in the parent application and to correct minor typographical errors and informalities. The Related Applications paragraph has been revised and updated to include the parent application and issued patents. The discussion of WEHI cytotoxicity assays of fusion proteins has been moved from Example XXVI to Example XXVII for clarity.

Three incomplete sentences in the Specification have been completed for clarity. The first two sentences of the description of Figures 31A-31C have been amended to read: "Figures 31A-31C are graphical representations showing that fusion proteins protected WEHI 164 cells from TNF α cytotoxicity. Cells were first sensitized to TNF α with actinomycin D and then

incubated in 2 ng/ml TNF α with varying concentrations of TNF α overnight at 37°C.” See page 15, lines 12-15. The sentence in Example XXVI bridging page 145, line 29 - page 146, line 2, has been amended to read: “pH 730 contains coding sequences for all three constant domains of human IgG1 and was designed to accomodate the Xba1 fragments of pHC707 at a unique Xba1 site upstream of the IgG1 coding sequences (Figure 28).” Support for these amendments is found in application 08/010,406 (the ‘406 application), filed January 29, 1993, which is entirely incorporated into the present Specification by reference (see page 1, lines 4-18 of the present Specification). Specifically, support for the amendment on page 15, lines 12-15 of the present Specification is found in the ‘406 application on page 8, lines 19-26, and the accompanying ‘406 Figures 5A-C. Support for the amendment on page 145, line 29 - page 146, line 2 of the present Specification is found on page 21, lines 31-34 of the ‘406 application.

The “Sequence Listing” (sheets 1/6 through 6/6) has been inserted.

Figures 16A-16B and Figures 32A-32B have been deleted and Figures 17A-31 and Figures 33A-36 have been renumbered accordingly. Formal drawings are being filed in lieu of the informal drawings originally filed with the parent application. Please note that this deletion and renumbering of the figures took place in the parent application (09/133,119), and it is being done in the instant application to be consistent. Formal Figure 32 has been revised to correct a typographical error in the figure legend.

Claims 1-34 have been omitted and new Claims 1-23 have been added.

If the Examiner desires, Applicants will produce a redlined version or other comparison document comparing this application with the immediate parent thereof. No new matter has been added. As such, a copy of the declaration from the parent application is being filed herewith.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Deirdre E. Sanders
Deirdre E. Sanders
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Dated: January 8, 2001

COPY FOR CONTINUING IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
APPLICATIONDeclaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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the specification of which (check one)

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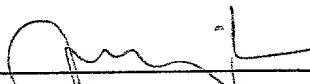
and _____

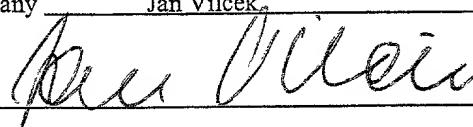
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Full name of sole
or first inventor Junming Le
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Citizenship Chinese USA 7/2/1998
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inventor, if any Jan Vilcek
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Citizenship USA
Post Office Address Same as above

Full name of third joint
inventor, if any Peter Daddona
Inventor's
Signature _____ Date _____
Residence 35 Anderson Way
Menlo Park, California 94025
Citizenship USA
Post Office Address Same as above

Full name of fourth joint

inventor, if any John Ghrayeb

Inventor's

Signature _____ Date _____

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Post Office Address Same as above

Full name of fifth joint

inventor, if any David Knight

Inventor's

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Full name of sixth joint

inventor, if any Scott Siegel

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Full name of seventh joint

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Full name of fifth joint

inventor, if any David Knight
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Full name of sixth joint

inventor, if any Scott Siegel
Inventor's
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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